

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

JEFFREY L. TAYLOR,

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Plaintiff

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vs.

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CASE NO. 4:06-CV-124 (CDL)

PETE GEREN, Acting Secretary
of the Army, UNITED STATES
DEPARTMENT OF THE ARMY,

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Defendant

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O R D E R

Defendant has filed a Motion to Dismiss, or in the Alternative, Motion to Transfer (Doc. 5), Plaintiff's Title VII claim based upon improper venue and Plaintiff's Privacy Act claim based upon the expiration of the statute of limitations and/or Plaintiff's failure to exhaust his administrative remedies. For the following reasons, Defendant's motion is granted, and this case is dismissed in its entirety.

Venue is not proper in the Middle District of Georgia for Plaintiff's Title VII claim. See 42 U.S.C. §2000e-5(f)(3). Therefore, Plaintiff's Title VII claim is dismissed.

The only remaining basis for federal jurisdiction is Plaintiff's Privacy Act claim.¹ Since Plaintiff failed to file this lawsuit within two years of the alleged violation of his privacy rights under

¹Plaintiff has apparently abandoned any claim that his request for declaratory relief provides an independent basis for federal jurisdiction.

the statute, Plaintiff's claim is untimely. See 5 U.S.C. §552a(g)(5). Accordingly, Plaintiff's Privacy Act claim is dismissed.

Defendant's Motion to Dismiss (Doc. 5) is granted, and Plaintiff's Complaint is dismissed in its entirety.

IT IS SO ORDERED, this 23rd day of May, 2007.

S/Clay D. Land
CLAY D. LAND
UNITED STATES DISTRICT JUDGE